

Calipatria State Prison
P.O. Box 5005
Calipatria, CA 92233

ORIGINAL FILED
JUL - 2 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

IN The United States District Court
for the Northern District of California

NC
Thomas R. Woodson
Plaintiff

v

Correctional Officer J. Rodriguez
et al.
Defendants

Motion for Appointment of
Counsel and Declaration
Civil Action No.

Pursuant to 28 USC § 1915 (e) (1) Plaintiff moves for an order appointing counsel to represent him in this case. In support of this motion, Plaintiff states:

1. Plaintiff is unable to afford counsel. He has requested leave to proceed in forma pauperis.

2. Plaintiff's imprisonment will greatly limit his ability to litigate. The issues involved in this case are complex, and will require significant research and investigation. Plaintiff has limited access to the law library and limited access to the law library and limited knowledge of the law. The institution is constantly on lock down and conducting intrusive searches affecting loss, disregard and or destruction of legal papers and materials.

3. A trial in this case will likely involve conflicting testimony, and counsel would better enable plaintiff to present evidence and cross examine witnesses. Plaintiff has been transferred from the institution where the incident occurred making it difficult to obtain discovery and interrogatories.

4. Plaintiff has made repeated efforts to obtain a lawyer, the law firm of Amitai Schwartz pro bono panel with negative results.

Wherefore, plaintiff request that the Court appoint a Valid member of the Bar as Plaintiff's counsel in this case.

June 20, 2008

Thomas Woodson
Thomas Woodson

Calipatria State Prison
P.O. BOX 5005
Calipatria, CA 92233

PROGRAM STATUS REPORT **PART B – PLAN OF OPERATION / STAFF & INMATE NOTIFICATION**

INSTITUTION CALIPATRIA STATE PRISON		EFFECTIVE DATE OF PLAN June 26, 2008		PROGRAM STATUS NUMBER: CAL INST-08-010	
<input type="checkbox"/> NORMAL PROGRAM		<input checked="" type="checkbox"/> MODIFIED PROGRAM		<input type="checkbox"/> LOCKDOWN	
<input type="checkbox"/> INITIAL		<input checked="" type="checkbox"/> UPDATE		<input type="checkbox"/> STATE OF EMERGENCY	
<div style="text-align: right; border: 2px solid black; padding: 5px; transform: rotate(-15deg); display: inline-block;"> RECEIVED JUN 26 2008 CLOSURE </div>					
RELATED INFORMATION (CHECK ALL THAT APPLY)					
AREA AFFECTED		INMATES AFFECTED		REASON	
<input type="checkbox"/> INSTITUTION <input checked="" type="checkbox"/> FACILITY: <u>A, B, C, & D</u> <input type="checkbox"/> HOUSING UNIT: <input type="checkbox"/> VOCATION: <input type="checkbox"/> EDUCATION:		<input checked="" type="checkbox"/> ALL <input type="checkbox"/> BLACKS <input type="checkbox"/> WHITE <input type="checkbox"/> HISPANIC <input type="checkbox"/> OTHER		<input type="checkbox"/> BATTERY ON PEACE OFFICER <input type="checkbox"/> DEATH <input type="checkbox"/> RIOT / DISTURBANCE <input type="checkbox"/> GROUPING <input checked="" type="checkbox"/> OTHER: Dangerous Contraband	
MOVEMENT		WORKERS		DAYROOM	
<input checked="" type="checkbox"/> NORMAL: <input type="checkbox"/> ESCORT ALL MOVEMENT <input type="checkbox"/> UNCLOTHED BODY SEARCH PRIOR TO ESCORT <input type="checkbox"/> CONTROLLED MOVEMENT: <input type="checkbox"/> OTHER:		<input type="checkbox"/> CRITICAL WORKERS ONLY: <input checked="" type="checkbox"/> CULINARY <input checked="" type="checkbox"/> CLERKS <input type="checkbox"/> VOCATION/EDUCATION <input checked="" type="checkbox"/> CANTEEN <input checked="" type="checkbox"/> CLOTHING ROOM <input type="checkbox"/> RESTRICTED WORK PROGRAM <input checked="" type="checkbox"/> PORTERS		<input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> NO DAYROOM ACTIVITIES <input type="checkbox"/> MODIFIED:	
FEEDING		SHOWERS		RECREATION	
<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> CELL FEEDING <input type="checkbox"/> CONTROLLED FEEDING IN DINING ROOM <input type="checkbox"/> HOUSING UNIT/DORM AT A TIME <input type="checkbox"/> DORM POD AT A TIME <input type="checkbox"/> TIER AT A TIME <input type="checkbox"/> HOUSING UNIT SECTION AT A TIME <input type="checkbox"/> SACK MEAL BREAKFAST <input checked="" type="checkbox"/> SACK MEAL LUNCH <input type="checkbox"/> SACK MEAL DINNER		<input checked="" type="checkbox"/> NORMAL: <input type="checkbox"/> CONTROLLED: <input type="checkbox"/> ONE INMATE PER SHOWER – OWN TIER <input type="checkbox"/> CELL PARTNERS TOGETHER – OWN TIER <input type="checkbox"/> DORM SHOWERING BY GROUP <input type="checkbox"/> CRITICAL WORKERS ONLY <input type="checkbox"/> NO SHOWERS		<input type="checkbox"/> NORMAL <input checked="" type="checkbox"/> NO RECREATIONAL ACTIVITIES: <input type="checkbox"/> MODIFIED:	
DUCATS		MEDICAL		CANTEEN	
<input checked="" type="checkbox"/> ALL DUCATS HONORED <input type="checkbox"/> MEDICAL DUCATS ONLY <input type="checkbox"/> CLASSIFICATION DUCATS <input type="checkbox"/> PRIORITY DUCATS ONLY		<input checked="" type="checkbox"/> NORMAL MEDICAL PROGRAM <input type="checkbox"/> PRIORITY DUCATS ONLY <input type="checkbox"/> LVN CONDUCT ROUNDS IN UNITS <input type="checkbox"/> INMATES ESCORTED TO SICK CALL <input type="checkbox"/> EMERGENCY MEDICAL ONLY <input type="checkbox"/> OTHER:		<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> NO CANTEEN: <input type="checkbox"/> MODIFIED:	
VISITING		LEGAL LIBRARY		PACKAGES	
<input checked="" type="checkbox"/> NORMAL VISITING <input type="checkbox"/> NON-CONTACT ONLY <input type="checkbox"/> NO VISITING: <input type="checkbox"/> OTHER:		<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> APPROVED COURT DEADLINES		<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> NO PACKAGES: <input type="checkbox"/> MODIFIED:	
				PHONE CALLS	
				<input checked="" type="checkbox"/> NORMAL <input type="checkbox"/> NO PHONE CALLS: <input type="checkbox"/> MODIFIED:	
				RELIGIOUS SERVICES	
				<input type="checkbox"/> NORMAL <input type="checkbox"/> NO RELIGIOUS SERVICES <input checked="" type="checkbox"/> MODIFIED: in-cell	

REMARKS: On Monday, May 26, 2008 at approximately 0630 hours dangerous contraband was confiscated from a Dining Worker. The Institution will remain on a Modified Program pending investigation into this incident and until it can be determined that the Institution can safely return to normal program MSF and ASU's will operate under normal program. Administrative Staff will review and update this PSR on Monday, June 30, 2008.

PREPARED BY: J. BUILTEMAN, AW-CENT OPS	DATE 6/25/08	NAME / SIGNATURE (WARDEN) LARRY SMALL, WARDEN (A)	DATE 6/25/08
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VERIFICATION

STATE OF CALIFORNIA
COUNTY OF IMPERIAL

ORIGINAL

(C.C.P. SEC.446 & 201.5; 28 U.S.C. SEC. 1746)

I, Thomas R. Woodson DECLARE UNDER PENALTY OF PERJURY
THAT: I AM THE Declarant IN THE ABOVE ENTITLED ACTION;
I HAVE READ THE FOREGOING DOCUMENTS AND KNOW THE CONTENTS THEREOF AND THE SAME IS
TRUE OF MY OWN KNOWLEDGE, EXCEPT AS TO MATTERS STATED THEREIN UPON INFORMATION, AND
BELIEF, AND AS TO THOSE MATTERS, I BELIEVE THEM TO BE TRUE.

EXECUTED THIS 26 DAY OF: June 2008 AT CALIPATRIA
STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002

(SIGNATURE) _____

(DECLARANT/PRISONER)

PROOF OF SERVICE BY MAIL

(C.C.P. SEC.1013 (a) & 2015.5; 28 U.S.C. SEC.1746)

I, Thomas R. Woodson AM A RESIDENT OF CALIPATRIA STATE PRISON, IN THE COUNTY
OF IMPERIAL, STATE OF CALIFORNIA. I AM OVER THE AGE OF EIGHTEEN (18) YEARS OF AGE AND AM / NOT
A PARTY OF THE ABOVE-ENTITLED ACTION. MY STATE PRISON ADDRESS IS: P.O. BOX 5002.
CALIPATRIA, CALIFORNIA #92233-5002.

ON June 28 2008 I SERVED THE FOREGOING: motion for Appointment
of Counsel to the United States District Court for the northern District

(SET FORTH EXACT TITLE OF DOCUMENTS SERVED)

ON THE PARTY (S) HEREIN BY PLACING A TRUE COPY (S) THEREOF, ENCLOSED IN A SEALED ENVELOPE (S),
WITH POSTAGE THEREON FULLY PAID, IN THE UNITED STATES MAIL, IN A DEPOSIT BOX SO PROVIDED
AT CALIPATRIA STATE PRISON, CALIPATRIA, CALIFORNIA #92233-5002.

THERE IS DELIVERY SERVICE BY UNITED STATES MAIL AT THE PLACE SO ADDRESSED, AND THERE IS
REGULAR COMMUNICATION BY MAIL BETWEEN THE PLACE OF MAILING AND THE PLACE SO ADDRESSED.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

DATE: June 28, 2008

Thomas Woodson

(DECLARANT/PRISONER)